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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

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14 RONALD J. MCINTOSH,) NO. CV 09-00750 CRB
15 Petitioner,)
16 V.) OPPOSITION TO APPLICATION FOR ENTRY OF
17 ERIC H. HOLDER, JR., ET AL.,) COURT ORDERED PROTECTIVE ORDER
18 Respondents.)

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21 The United States opposes McIntosh's Application for Entry of Court Ordered Protective Order.

22 First, the government has filed a Motion to Stay proceedings while it consults with officials of the
23 Federal Bureau of Investigation and at the Department of Justice. The United States Attorney's Office
24 began that consultation on August 27, 2015, and will proceed expeditiously in determining whether to
25 appeal the Court's order. The United States asks the Court to grant the stay and to take no action on
26 McIntosh's Application until September 11, 2015, or if the government seeks appellate review, when
27 appellate proceedings conclude.

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Second, the United States objects to McIntosh's proposed protective order. No protective order is sufficient to guarantee that the disputed documents are not compromised, and the protective order proposed by petitioner's counsel is particularly inadequate.

The government continues to believe that the 174 pages are privileged and not relevant to McIntosh's claim and that their disclosure, even only to counsel for McIntosh, will cause damage to important law enforcement interests.

The court should deny McIntosh's application.

DATED: August 28, 2015.

Respectfully submitted,

MELINDA HAAG
United States Attorney

/s/

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